

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 20-CV-23883-ALTONAGA
MAGISTRATE JUDGE REID

NONI JAMIL STINSON,

Petitioner,

v.

MARK INCH,

Respondent.

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REPORT OF MAGISTRATE JUDGE

Petitioner, **Noni Stinson**, has filed a *pro se* Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, challenging the constitutionality of her conviction and sentence in Case No. 2006-CF-012588, entered in Duval County Circuit Court. [ECF No. 1]. This cause has been referred to the Undersigned for Report and Recommendation on any dispositive matter pursuant to 28 U.S.C. § 636(b)(1)(B) and S.D. Fla. Admin. Order 2019-2. [ECF No. 2].

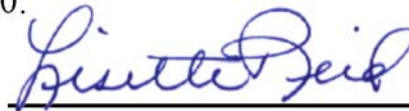
Title 28 U.S.C. § 2241(d) provides that a federal petition for writ of habeas corpus may be filed either in the District in which the state court which convicted the Petitioner is located, or in the District where the petitioner is confined. *See* 28 U.S.C. § 2241(d). Here, Petitioner is challenging her criminal conviction entered in Duval County, Florida, which is located in the United States District Court for the

Middle District of Florida. Furthermore, the records pertaining to her conviction are located in the Middle District of Florida.

Based upon the foregoing, the Court **RECOMMENDS** that this Petition for Writ of Habeas Corpus be **TRANSFERRED** to the United States District Court for the Middle District of Florida, as it is the appropriate venue, *see* 28 U.S.C. § 2241(d); *see also* 28 U.S.C. § 89, and this case be **CLOSED** by the Clerk of Court.

Objections to this report may be filed with the district judge within fourteen days of receipt of a copy of the report. Failure to file timely objections shall bar petitioner from a *de novo* determination by the district judge of an issue covered in this report and shall bar the parties from attacking on appeal factual findings accepted or adopted by the district judge, except upon grounds of plain error or manifest injustice. *See* 28 U.S.C. § 636(b)(1); *see also Thomas v. Arn*, 474 U.S. 140, 149 (1985).

SIGNED this 1st day of October, 2020.



UNITED STATES MAGISTRATE JUDGE

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